



Kutztown University Policy STU-031

On-Campus Sales, Fundraising, and Solicitation

A. Governance:

1. The On-Campus Sales, Fundraising, and Solicitation Committee shall consist of the Director for Student Involvement, Director of Housing and Residence Life, Director of Public Safety and Police Services, Director of Athletics, the Secretary in Student Involvement, and a student appointed by the Student Government Board, or their designees.
2. The committee shall meet as needed to review sales and solicitation requests as follows:
 - a. from any group that does not meet the requirements for registration as specified by the Office for Student Involvement;
 - b. for any sale that does not meet the criteria for approved sales as set forth by this policy;
 - c. to set the maximum number of allowable sales per semester for eligible groups; and
 - d. to conduct other business related to the implementation of this policy.

B. Eligibility:

1. Student organizations that are recognized by the University are eligible to participate in the on-campus sales and fundraising process.
 - a. Student organizations classified as SGA recognized, SGA sponsored as designated by the Office for Student Involvement, and intercollegiate athletic teams are eligible to sponsor up to eight sales or fundraisers per semester, with a maximum of five of those being designated as external sales.
 - b. Student organizations not classified as registered by the Office for Student Involvement are not eligible to participate in the sales and fundraising process.
2. Other University-related organizations, groups, offices, or departments may request special authorization for on-campus sales and fundraisers. Such requests must be made

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in writing through the Office for Student Involvement at least two weeks in advance of the anticipated sale date. These requests will be acted upon by the On-Campus Sales Committee.

3. Outside organizations and vendors are allowed to conduct sales and fundraising activities only if sponsored by a University-related or recognized group.
4. The Student Bookstore and the McFarland Student Union Building may sponsor an unlimited number of service-related sales and promotions that fall within the confines of this policy.

C. Definitions of Sales, Fundraisers, and Solicitations:

1. A sale is defined as the selling of one item or related group of items by one organization during the course of one calendar day without simultaneous locations. Each additional simultaneous location shall be counted as an additional sale or fundraiser.
 - a. An internal sale is defined as a sale that meets the aforementioned requirements and is sponsored by a University-recognized student organization or University-related group at which the sponsoring organization peddles its own goods.
 - b. An external sale is defined as a sale that meets the aforementioned requirements and is sponsored by a University-recognized student organization or University-related group at which goods are peddled by an outside vendor with the sponsoring group receiving a per diem or percentage of gross sales.
2. A sale is considered an extended sale when the sale of the product or service necessitates that orders be taken for the sale of the goods or when the product requires long-term exposure as determined by the On-Campus Sales Committee. Extended sales cannot exceed a three-week time frame and apply only to internal sales. If the sale is classified as an extended sale by the Committee, then that sale can be held campus-wide with non-specific times and locations. However, the sale must follow all other components of this policy.
3. A fundraiser is any activity that is not classified as a sale yet meets the following criteria:
 - a. the sponsoring organization is charging a fee in exchange for providing a service;
or
 - b. the sponsoring organization is charging a fee in exchange for admission to an event. However, if the money raised through ticket sales is used strictly to offset the costs associated with production of the event, then the event is not a fundraiser. In cases that the sponsored event is considered a fundraiser, then that event must adhere to the following guidelines:

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1. Advance sales of tickets for events can be conducted only by student groups which are recognized by the University and maintain an account with the KUSI Accounting Office.
2. All ticket sales must be conducted through the Information Desk located in the Student Union Building or at the ticket office located at the venue. Other locations can be used with special approval from the On-Campus Sales Committee. Arrangements for the sale of tickets must be made with the KUSI Fiscal Assistant at least one week in advance of the date of the sale.
3. Advance sales of tickets for events sponsored by other non-student University groups may also be conducted at the SUB Information Desk. Special arrangements for advance sale of tickets for events sponsored by these organizations are subject to the approval of the Director for Student Involvement and must be made at least two weeks in advance of the first day of the sale.
4. Solicitations for funds and/or goods are subject to the same rules and regulations as sales and/or fundraisers. Only two solicitations are allowed per semester.

D. Registration Procedures and Guidelines for Sales, Fundraising, and Solicitations:

1. All on-campus sales and fundraising activities must be registered with the Office for Student Involvement at least one week in advance of the sale date to guarantee review of the request.
2. In order to reschedule a sale or fundraising activity, notice of cancellation must be received by the Office for Student Involvement at least one week in advance of the originally scheduled date.
3. Requests for exceptions to the sales/fundraising limit shall be made in writing and directed to the Director of Student Involvement for review by the On-Campus Sales Committee.
4. All funds raised through the sale/fundraising activity must be deposited in an SGA activity account as designated by the Director for Student Involvement.
5. A copy of the sales/solicitation form, which is given to the sponsoring organization upon approval of the sale, fundraiser, or solicitation must be carried with the seller(s) at all times during the scheduled activity.
6. The Committee reserves the right to refuse to approve requests for sale dates that would interfere with or impede the sale of similar items by another organization which

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previously was issued a sales permit. This includes sales which would run concurrently or prior to such a previously scheduled sale.

7. All door-to-door activities, including sales, fundraisers, and solicitations, are prohibited.
8. Sales can be held in various indoor and outdoor locations around campus. The time of day for each sale will be determined by the location's hours of operation, space availability, and schedule of events.
9. Sales held in residence halls must take place by the front desk of each hall or the immediate area and can take place from 7:00 p.m. through 11:00 p.m. only.
10. External sales held in the Student Union Building are subject to a rental fee for each table needed.
11. Raffles, lotteries, other forms of gambling, and other things in violation of local, state, and federal law cannot be conducted on campus. The On-Campus Sales and Solicitation Committee reserves the right to refuse to allow any sale or solicitation that is inconsistent with University mission or contractual obligations.
12. The normal routine and operation of the University may not be interrupted or disrupted by the sale/fundraising activity. The Director of Public Safety and Police Services shall be consulted if there is any doubt regarding the potential for disruption. If it is determined that the sale/fundraising activity has the potential for disruption, then the Director of Public Safety and Police Services, a representative from the group conducting the activity, and the group's advisor shall meet to discuss preventative measures. If preventive measures cannot be developed and undertaken, permission for the activity will be denied.
13. Any sale or fundraising activity for which off-campus advertisement is planned is by definition to be considered potentially disruptive due to restricted campus parking policies. Consequently, the above procedures for review of plans should be implemented prior to registration of the sale.
14. The Student Housing Agreement precludes the use of student rooms for sales, for the storage of merchandise, or for any other commercial activity. The Housing and Residence Life Office allows exceptions to this policy for such activities as the sale of personally owned items such as textbooks and such personal services as typing.
15. Vendors soliciting applications for financial services (e.g., credit cards) must provide each individual student with full written disclosure of the application's intended use and expected outcomes.
16. Vendors of financial services are prohibited from providing "free" merchandise in exchange for student applications for services.

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E. Contracts:

1. When sponsoring an external sale, a group must have a vendor agreement completed by the vendor.
2. Three original copies of the completed contract, after being signed by the vendor, must be submitted to the Office for Student Involvement at least two weeks prior to the scheduled sale or fundraiser.

F. Advertising and Promotion:

1. Approval for any off-campus advertising must be obtained at the time the sale, fundraiser, or solicitation is registered.
2. On-campus advertising must be conducted in a manner consistent with University guidelines regarding the posting of information on-campus. Information distribution within the residence halls must conform with the Information Dissemination to Residence Hall Students Policy.

G. Off-Campus Fundraising:

1. All Kutztown University groups or individuals wanting to solicit funds off-campus for University-related activities must obtain prior written approval from the Vice President of Student Affairs or designee who will act upon a recommendation from an Off-Campus Fundraising committee.
2. All funds raised off-campus for the University-related activities must be deposited in appropriate accounts as designated by the President or designee.

H. Failure to Comply:

Failure to comply with the foregoing procedures or any parts thereof shall result in one or more of the following:

1. Withdrawal of permission to conduct the sale or fundraising activity and/or revocation of sales and fundraising privileges for a specified period of time.
 - a. An opportunity for an appeal to the On-Campus Sales Committee is available.
 - b. On-campus sales/fundraising privileges will be suspended until the appeal is heard.
2. Disciplinary action through the Office of Student Conduct Standards.
3. Other action consistent with federal, state, and local laws and University policies.

SOLICITATION**I. Definitions:**

1. Solicitation refers to such activities as recruitment, distribution of informational materials, events promotion, and other similar activities which do not include the sale of goods or services or solicitation for funds.

J. Solicitation Guidelines:

1. Individuals, University-recognized organizations and groups, and non-University organizations wishing to reserve space on campus to conduct such activities must adhere to the policies and procedures cited in the Reservations and Use of University Facilities procedure. Further, the University reserves the right to establish time, place, and manner restrictions that apply to all solicitations.
2. An organization not affiliated with Kutztown University may reserve an indoor or outdoor facility for the purpose of conducting a solicitation only if the organization is sponsored by a University-recognized organization or group.
3. Solicitation may take place outdoors. Such solicitation is limited to the southern portion of the mall in front of the Rohrbach Library or on the University's property northeast of the intersection of Luckenbill and North Campus drive. The Director of Public Safety and Police Services, together with the Director for Student Involvement, will determine where the solicitation may occur. Exceptions to this requirement can only be made by the President of the University or designee.
 - a. The normal routine of those traveling in the area designated for the solicitation must not be impeded.
 - b. The policies and procedures regarding the reservation of facilities and scheduling events as well as other regulations relating to activities and conduct apply.
4. Door-to-door solicitation is not permitted in any campus building.

K. Failure to Comply:

Failure to comply with the foregoing policy regarding solicitation or any parts thereof may result in one or more of the following:

1. Withdrawal of permission to conduct the proposed, or future, solicitation(s), and/or cancellation of the event(s).
2. Disciplinary action through the Office of Student Conduct Standards.
3. Other action consistent with federal, state, and local laws as well as University policies.

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L. Effective Date:

11/27/95
Revised 11/18/04
Revised 8/2007
Revised 9/7/17

M. Approved by:

University Senate 11/16/95
University President 11/27/95

N. Last Reviewed:

August, 2010
August, 201
September, 2017